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23 MS. CLARK: Thank you very much. My name is
24 Susan Clark, and I am with the Florida Public
25 Service Commission. And we regulate utilities in

1 the state of Florida. Specifically relevant to
2 this hearing is the fact that we have two
3 utilities in Florida, Florida Power and Light and
4 Florida Power Corporation, which each own nuclear
5 facilities. There are five units in total in
6 Florida that use nuclear power. Today I am
7 appearing on behalf of the utility rate payers in
8 Florida as well as on behalf of the National
9 Association of Regulatory Utility Commissioners or
10 NARUC. NARUC is an organization that represents
11 utility commissions around the 50 states and the
12 District of Columbia. I also chair the NARUC's
13 electricity committee, which has as a subcommittee
14 a nuclear issues and waste disposal committee.

15 We are pleased that the DOE has completed the
16 environmental impact statement and made it
17 available to the public. Not only will you hear
18 from me today on it, you will hear from state
19 commissions in Georgia, South Carolina and
20 Alabama, and NARUC will be providing more
21 testimony in Washington as well as written
22 comments.

23 4 Let me indicate that [there are millions of
24 utility rate payers in Florida and other states
25 that have a stake in the repository in Yucca

1 4 cont. Mountain. Over 100 operating nuclear plants are
2 located in over 30 states. Utilities in these
3 states are currently storing spent fuel at their
4 reactor sites. The sites were never intended to
5 become a permanent disposal site. In many
6 locations fuel pools have reached their capacity,
7 and it has necessitated dry-cask storage. In
8 other locations the utilities have been able to
9 manage their pool facilities, but they will likely
10 have to turn to dry-cask storage in the future.
11 Disposal problems may also prevent these utilities
12 from considering the renewal of their operating
13 licenses and may even result in the early shutdown
14 of some units due to space constraints. This, of
15 course, will necessitate the nuclear generation
16 with some other source of generation at
17 potentially higher costs to rate payers. Since
18 nuclear power provides 20 percent of the nation's
19 needs as well as 20 percent in Florida,
20 replacement costs could be enormous to the rate
21 payers.

22 In accordance with the Nuclear Waste Policy
23 Act of 1982 utilities must make payments to
24 reimburse the federal government for the costs of
25 disposing of spent nuclear fuel and high-level

1 4 cont. radioactive waste. These costs have been passed
2 on to the utilities' customers, who receive the
3 benefit of electricity generated from nuclear
4 units. In return for these payments DOE was to
5 begin moving and disposing of spent fuel in
6 January of 1998. While the rate payers have
7 steadily paid into this fund, DOE has not
8 fulfilled its part of the obligation in that we
9 have -- as yet have no repository in Yucca
10 Mountain. To put a dollar figure on it, Florida
11 rate payers have paid over \$500 million into this
12 fund since 1983, and nationwide rate payers have
13 contributed over 16 billion.

14 1 With that background I am here to urge you to
15 move forward with Yucca Mountain. There is no
16 significant evidence to suggest that a repository
17 should not be built in Yucca Mountain, Nevada.
18 Last September DOE's viability assessment
19 indicated there were no show stoppers that would
20 stand in the way of developing this repository.
21 While my comments are preliminary because we are
22 still reviewing the environmental impact statement
23 and we plan to provide more comprehensive comments
24 by February, we do believe we can rely on the
25 expertise of DOE to provide the details of the

1 repository design, that we can rely on the
2 Technical Review Board to provide impartial
3 oversight of the program and the Nuclear
4 Regulatory Commission to provide for the public
5 health and safety. Thus, my comments focus on the
6 policy to continue development of the repository
7 at Yucca Mountain and the impact this position has
8 on states which rely on nuclear power.

9 MR. LAWSON: Thirty seconds.

10 MS. CLARK: Let me indicate that Commissioner
11 2 Bradley from South Carolina will touch on the two
12 other alternatives, the no-action. But let me say
13 that those are not acceptable, as they allow for
14 the continued disposal of nuclear waste at the
15 utility sites, which was never intended. It's
16 inconsistent with the Act, and it is clearly
17 better to have the fuel consolidated at one
18 central facility rather than at 77 sites around
19 the country.

20 Let me also indicate that NARUC believes
21 3 Yucca Mountain is a favorable location for the
22 development of the deep geological repository for
23 the following reasons. It has a dry climate. The
24 geology and hydrologic conditions are right. The
25 population in the immediate area is sparse. And

1 3 cont. the site is already owned and under the control of
2 the federal government.

3 5 Let me close by saying, without Yucca
4 Mountain, in states such as Florida utility
5 customers will incur significant and unnecessary
6 costs. Rate payers should not be asked to pay for
7 the disposal of nuclear spent fuel because of the
8 government's delay in working with Yucca Mountain.

9 6 Let me just say in closing we concur with the
10 Secretary of Energy that a geological repository
11 should be developed on the basis of sound science.
12 We believe that analysis they have done in the EIS
13 demonstrates that the federal government has
14 adequately examined the site and is sufficiently
15 examining the impact. I will provide written
16 comments. And as I indicated, there are other
17 commissioners who will speak after me which will
18 cover specific parts of the environmental impact
19 statement. Thank you.

20 MR. LAWSON: Thank you. And I appreciate how
21 difficult it is sometimes; the time goes faster
22 than you think. But I would ask you to try to
23 limit the comments to five minutes, and I'll give
24 you some leeway there to be as graceful as
25 possible.